

## **Minutes of Land Use, Parks and Environment Committee**

**Tuesday, January 19, 2010**

Chair Fritz Ruf called the meeting to order at 8:30 a.m. and led the Committee in the Pledge of Allegiance.

**Committee Present:** Supervisors Fritz Ruf (Chair), James Jeskewitz, Walter Kolb, Janel Brandtjen (arrived at 8:34 a.m.) and Ted Rolfs. **Absent:** Supervisors Rob Hutton and Gilbert Yerke.

**Also Present:** Chief of Staff Mark Mader, Legislative Associate Karen Phillips, Planning and Zoning Manager Dick Mace, Legislative Policy Advisor Sarah Spaeth, SEWRPC Chief Environmental Engineer Mike Hahn, Parks and Land Use Director Dale Shaver, Park System Manager Duane Grimm, Senior Budget Analyst Bill Duckwitz, Land Resources Manager Perry Lindquist, Town of Oconomowoc citizen/farm owner Bill Peebles, Oconomowoc Town Planner Jeff Herrmann and Executive Director of Tall Pines Conservancy Susan Buchanan.

### **Approve Minutes of December 8, 2009**

MOTION: Jeskewitz moved, second by Kolb, to approve the minutes of December 8, 2009. Motion carried: 4-0.

### **Correspondence**

- Letter from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to Dan Vrakas regarding SEWRPC Planning Report No. 50, A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds, on file in the County Clerk's office.
- Grant application for Parks and Land Use and UW-Extension for 25 x 25 Energy Independent Communities Grant.
- Letter from the WI DNR to Stephen A. Hellrung of Handschy Industries, LLC, Menomonee Falls, WI, regarding proposed withdrawal from coverage under a registration permit.

### **Next Meeting Date**

Mader discussed the cancellation of the February 2, 2010 LUPE Committee meeting. The County Development Plan Amendments Public Hearing will be held on February 4, 2010. All LUPE Committee members were encouraged to attend the public hearing.

Brandtjen arrived at 8:34 a.m.

Mader introduced new Legislative Policy Advisor Sarah Spaeth.

### **Public Comment**

Peebles, Herrmann, and Buchanan individually spoke in support of Resolution 164-R-010.

**Discuss and Consider Resolution 164-R-009: Amend The Regional Water Quality Management Plan For The Greater Milwaukee Watersheds**

Mace brought a copy of the two-volume report titled *A Regional Water Quality Management Plan for the Greater Milwaukee Watersheds* (Planning Report No. 50). Mace stated that the plan update is similar to other plans that Waukesha County has endorsed and adopted over the years. He stated a copy of the plan is available for closer review by the Committee members.

Mace introduced Hahn, Chief Environmental Engineer for SEWRPC, who gave a PowerPoint presentation summarizing the plan update. He indicated that the plan originated in 1979. The plan update includes major plan elements addressing land use, surface water quality, including point and nonpoint source pollution abatement and groundwater management. Hahn's summary included information on the following:

- Water quality management planning background – previous planning efforts
- Public involvement – advisory committees, public information, and public hearings
- Plan recommendations – surface water quality, instream measures, and inland lake measures
- Measurable water quality improvement goals
- Plan costs.

Hahn noted that while Planning Report No. 50 documents the water quality plan update itself, a companion to it is Technical Report No. 39 issued in December 2009. This technical report addresses water quality conditions and sources of pollution over a period of about thirty years, from the mid-seventies to the present. Though some conditions may have worsened, overall there has been much improvement due to control of point sources and upgrades to wastewater treatment processes.

Brandtjen asked specifically how much water quality has improved over the past 30 years. Hahn explained that the presence of fecal coliform bacteria is an indicator of human sewage. He pointed out, referring to pie charts on the overhead screen, that there was about 50% less fecal coliform bacteria present in 2000 than in 1975. In 1975, the biggest contributor of fecal coliform bacteria was combined sewer overflow. In 2000, that amount was reduced to just 7% due to implementing recommendations of the original regional water quality management plan. Hahn stated that much of the detailed information is contained in Technical Report No. 39. After lengthy discussion regarding the Pollution Sources Summary, Ruf requested that further questions be deferred until after Hahn completed his presentation.

In conclusion, Hahn stated that further information on the Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds is available on the SEWRPC website. Hahn said that he would send color copies of the plan summary for the Committee members.

Hahn continued to address further concerns raised by the Committee members. Kolb opined that Hahn's presentation should have included more information regarding the actual pollution statistics before and after the separation of the Racine sewer system. Brandtjen voiced concerns over possible financial burdens imposed on the business community caused by County regulations. She cited an example of a new business owner in the City of Waukesha having to spend \$30,000 to

install holding tanks for runoff because of Waukesha County requirements. Hahn said there is nothing specifically directed toward the business community in the plan update; however, the NR-151 rules contain State mandates that relate to new development.

Ruf inquired whether there has been an update in regard to the Fox River. Hahn said there has not been any recent update because of the lack of funding. Rolfs asked whether SEWRPC is trying to incorporate making recommendations that affect both surface and ground water. Hahn recognized the connection between surface and ground water issues, and said those types of recommendations would most likely be done in the future.

MOTION: Rolfs moved, second by Jeskewitz, to approve Resolution 164-R-009.  
Motion carried 5-0.

**Discuss and Consider Ordinance 164-O-070: Amend The District Zoning Map Of The Town Of Mukwonago By Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 9, T5N, R18E, Town Of Mukwonago, Waukesha County, Wisconsin, From The P-1 Public, R-1 Residential And EC Environmental Corridor Districts To The R-1 Residential, C-1 Conservation, EC Environmental Corridor And P-1 Public Districts (ZT-1695)**

Mace stated portions of the subject area were incorrectly mapped or identified on the Town of Mukwonago zoning map. The proposed amendments reflect mapping changes that correct those inaccuracies and properly identify the zoning classifications for the subject properties. The amended areas will identify the use of the lands and adequately protect environmental corridors and conservancy areas as they exist in this area of the Town of Mukwonago.

MOTION: Kolb moved, second by Jeskewitz, to approve Ordinance 164-O-070.  
Motion carried 5-0.

**Discuss and Consider Resolution 164-R-010: Support For Designation Of Agricultural Enterprise Areas In Waukesha County**

Lindquist gave a PowerPoint presentation outlining the Farmland Preservation Program (FPP) including an historical review, the Working Lands Initiative, and overview of FPP tax credits in relation to agricultural enterprise areas. The designation of voluntary agricultural areas reinforce a local commitment to agricultural preservation and enables eligible farmers to enter into farmland preservation agreements with the State for at least 15 years. In exchange, the farmers would receive annual income tax credits ranging from \$5 to \$10 per acre.

Shaver stated that the designation of agricultural enterprises areas would be consistent with the Waukesha County Comprehensive Development Plan.

MOTION: Rolfs moved, second by Brandtjen, to approve Resolution 164-R-010.  
Motion carried 5-0.

**Discuss and Consider Ordinance 164-O-069: Accept Transfer Of Land Located In Village Of Pewaukee From The State Of Wisconsin Department Of Transportation**

Grimm discussed the background of this 50-acre parcel that WisDOT deeded to Waukesha County

approximately one year ago. There is no fiscal note associated with this transfer of land. This ordinance requests acceptance of the donation of land which is located in the Village of Pewaukee. Grimm pointed out the location of the land on an overhead map. The parcel is adjacent to 412 acres of land currently owned by Waukesha County. The land must remain in its present state in compliance with the existing restrictive covenants and should not present any future costs to the County. A County bike trail will eventually go through a part of this land.

MOTION: Rolfs moved, second by Brandtjen, to approve Ordinance 164-O-069.

Motion carried: 5-0.

MOTION: In the absence of objections, the meeting adjourned at 10:25 a.m.

Respectfully submitted,

Jim Jeskewitz,

Secretary